

NYS HOME PROGRAM

2021 REQUEST FOR APPLICATIONS



**Homes and
Community Renewal**

**Housing
Trust Fund
Corporation**

OFFICE OF COMMUNITY RENEWAL

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1. INTRODUCTION

The Housing Trust Fund Corporation (HTFC) invites eligible partners to submit applications for HOME Investment Partnerships Program funds allocated to New York State by the Department of Housing and Urban Development (HUD) for the NYS HOME Program.

The NYS HOME Program is administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR) and funds a variety of activities across the State to expand the supply of decent, safe, and affordable housing for low and moderate-income families.

This funding round will provide grants to units of local government and non-profits.

This RFA describes the requirements to apply for NYS HOME Program funds and explains the process by which the HTFC and the OCR will evaluate applications. Applications for NYS HOME Program funds are submitted using HCR's Community Development On-Line System (CDOL), which is accessible online at: <https://hcr.ny.gov/community-development-online>. The application includes entry of responses in CDOL exhibits and the submission of uploaded attachments per the 2021 HOME Program CDOL Application Instructions.

2. AVAILABLE FUNDING

The HTFC will make available approximately \$10 million in Federal Fiscal Year (FFY) 2021 and prior year NYS HOME Program funds through this RFA. This amount is a guideline for expected awards and the HTFC reserves the right to award additional funds based on resource availability.

3. ELIGIBLE ACTIVITIES & FUNDING LIMITS

Applicants are limited to a maximum of two (2) potential awards, assuming demonstrated capacity. Each application must elect one (1) activity to perform. Two activities may not be combined into one application or contract.

Applications will be accepted for the following activities:

A. Housing Rehabilitation

Funds may be requested for the moderate repair or rehabilitation of owner-occupied, single-family (1-4 unit) dwellings. All HOME assisted units must meet NYS and/or Local Code upon completion of construction activities. Programs assisting homes with rental units will be approved on a case-by-case basis and only if the applicant demonstrates superior knowledge of HOME rental requirements.

Maximum Award up to \$600,000 – Maximum Per-unit up to \$65,000

B. Manufactured Housing Replacement

Funds may be requested to demolish and dispose of a sub-standard, owner-occupied manufactured or mobile home and replace it with a new manufactured home.

Manufactured home replacement is considered reconstruction for the purposes of the HOME program. The unit must be installed on the same lot and can replace a unit that was demolished within the 12 months prior to the date of commitment.

Assistance may be provided to replace manufactured homes in parks (where land is rented by the homeowner), parks cooperatives, or for homes sited on land owned by the

homeowner.

Programs may propose to provide assistance to specific manufactured home parks, including overall park infrastructure and scatter site replacement units.

Programs that provide both replacement of existing units and purchase new units for currently vacant sites will be considered on a case-by-case basis.

Maximum Award up to \$1,250,000 – Maximum Per-unit up to \$125,000

C. Homebuyer Down Payment Assistance

Funds may be requested to assist homebuyers with down payment and/or closing costs to purchase a single family (1-4 unit), non-HOME assisted existing home, newly constructed home, condominium, or co-op. The home to be purchased must meet NYS and/or local Code prior to closing to be HOME eligible.

Funds may also be requested to assist with housing rehabilitation for the home to be purchased in addition to down payment and/or closing costs assistance.

Programs assisting homes with rental units will be approved on a case-by-case basis and only if the applicant demonstrates superior knowledge of HOME rental requirements.

Without Rehab Maximum Award up to \$800,000 – Maximum Per-unit up to \$80,000

With Rehab Maximum Award up to \$800,000 – Maximum Per-unit up to \$100,000

D. Tenant Based Rental Assistance (TBRA)

Funds may be requested to provide monthly tenant-based rental assistance to assist families at or below 60% of area median income. Security deposits and tenant utility deposits may also be eligible but must be part of a larger TBRA program.

Renters living in traditional units as well as renting manufactured homes are eligible.

Maximum Award up to \$600,000 – Maximum Per-unit up to \$50,000

4. CONTRACT TERM

If awarded, the contract term shall not exceed 30 months (2.5 years).

This contract term represents a six month increase from previous funding rounds, therefore, requests for extensions to complete program activities will be limited or not approved.

5. ADMINISTRATIVE FUNDS AND PROJECT DELIVERY

Applicants may apply for up to 5% of the total award for administrative costs and up to 13% of the total award for project delivery.

6. ELIGIBLE APPLICANTS

Eligible applicants for this funding round are units of local government including Counties, Cities, Towns and Villages and non-profit corporations incorporated under State Non-Profit Corporation Law and Housing Authorities.

While all areas of New York State are eligible, programs located within another HOME Participating Jurisdiction, should provide evidence of funding commitments from the alternative local HOME PJ leveraging additional funds for the program and reducing funds needed from the NYS HOME Program.

To be eligible to apply, applicants must have been in existence for at least one year prior to application and providing recent and relevant residential housing services to the community.

Applicants must be able to demonstrate a local market need for the proposed activity/program/project service area, capacity to administer and complete the program in the contract term, and knowledge of HOME program regulations.

7. APPLICANT CAPACITY AND PRIOR EXPERIENCE

Applicants for NYS HOME Program funds, as with all competitive OCR Program funds, are subject to an evaluation of prior program funding history, prior program administration performance and organizational capacity. Factors such as the rate of expenditure during the term of the contract, the number of contract extensions requested, de-obligation of funds, and compliance with all terms will be used to determine satisfactory performance for all applicants. Applicants may be negatively impacted by unsatisfactory performance or may be determined to be ineligible for a grant when prior performance evidence significant lack of capacity to carry out the proposed project or program as required and according to the applicable laws, regulations, policies, and procedures governing the program.

Applicants must resolve all outstanding monitoring and/or non-compliance issues that involve a violation of Federal, State, or local regulations, and/or program and OCR requirements prior to the submission of an application for funding. Applicants that do not resolve monitoring and/or non-compliance issues will be deemed ineligible, and the application will not be accepted or reviewed. The OCR will provide, upon request, status information related to the above items for any potential applicants.

Prior to applying, applicants should evaluate the progress of their open grant portfolio to determine if additional funds are warranted. Interested parties are discouraged from applying for NYS HOME Program funds if the program activities cannot be completed within the 30-month term or the amount of funding requested cannot be expended within the 30-month term.

The HTFC and the OCR reserve the right not to fund any application if it has been determined that the applicant is not in compliance with existing State and/or Federal contracts and has not taken satisfactory steps to remedy such non-compliance. The HTFC and OCR reserve the right to reduce or increase funds requested and make awards based on a review of applicant capacity and need presented.

8. PROGRAM REQUIREMENTS

The following is a listing, not all inclusive, of regulations and other program requirements that apply to the NYS HOME Program. Applicants receiving awards are expected to be familiar with and understand these governing regulations and are periodically monitored throughout the administration of an awarded program or project to ensure continued compliance with these and other rules and regulations. The Federal regulations set forth at 24 CFR Part 92 govern of the NYS HOME Program. For a full review of requirements see applicable Administrative Plan located here: <https://hcr.ny.gov/nys-home-program>.

A. Homeownership Value Limits (Maximum purchase price or After rehab value)

The estimated value of a property at purchase or after rehab cannot exceed the HUD limits for the local jurisdiction at the time of commitment published here:

<https://www.hudexchange.info/resource/2312/home-maximum-purchase-price-after-rehab-value/>.

B. Environmental Review

NYS HOME program is subject to the provisions of the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA). For most HOME funded activities, NEPA is applied in two stages. First, an overall programmatic environmental review (Tier 1 Review) is completed to ensure that general program activities will not harm the environment.

Second, a site-specific environmental review (Tier 2 Review) must be completed for each site/project selected for HOME assistance. This second review is to ensure that a specific activity to be undertaken at a specific site will not harm the environment.

Under no circumstances will the HTFC approve the release of funds for a project or activity where an approved environmental review was not conducted in advance, and in accordance with all applicable rules and regulations. (More info: <https://www.hudexchange.info/programs/environmental-review/>.)

C. Smart Growth

The Housing Trust Fund Corporation is subject to the New York State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and must, to the extent applicable, make funding decisions consistent with the provisions of the Act.

D. Lead Based Paint Regulations

Applicants must comply with the lead-based paint requirements implemented at 24 CFR Part 35. This regulation defines work practices that must be followed when dealing with lead-based paint in older structures and requirements to protect occupants and workers from lead-based paint hazards until lead hazard reduction work is completed.

Lead hazard evaluation and reduction activities for rehabilitation projects are determined by the level of federal assistance received by the project and the per unit evaluation of hard costs. Interim controls are required for projects assisted with less than \$25,000 in Federal Funds. Projects assisted in excess of \$25,000 in Federal funds are subject to the completion of Part 3 of 24 CFR Part 35. The Lead Based Paint Applicability Worksheet must be completed to document compliance.

Under no circumstances will the HTFC approve the release of funds for a project or activity where lead safe practices and lead safe clearance were not conducted in accordance with all applicable rules and regulations. (More information: https://www.hud.gov/program_offices/healthy_homes/healthyhomes/lead)

E. Davis Bacon Related Acts

Applicants preparing to undertake construction or rehabilitation activities on 12 or more units within the same construction contract must comply with the Federal Labor Standards requirements (Davis Bacon Related Acts) as outlined in 40 USC 276. This regulation requires that workers receive no less than the prevailing wages being paid for similar work in their locality. (More information:

https://www.hud.gov/program_offices/davis_bacon_and_labor_standards.)

F. Section 3 Requirements

Housing construction and rehabilitation projects as well as public works projects that receive more than \$200,000 in HOME Investment Partnership Program (HOME), Community Development Block Grant (CDBG), federal Housing Trust Fund or other funding from the U.S. Department of Housing and Urban Development (HUD) must comply with Section 3 of the Housing and Urban Development Act of 1968 (“Section 3”).

Section 3 requires that economic opportunities generated by HUD funds be prioritized for low-income individuals and the businesses that hire or are owned by them, particularly in the neighborhood surrounding the project. All entities involved in the Section 3 Project (the Recipient of the HUD funds, the General Contractor, other contractors, and subcontractors) must, to the greatest extent feasible, engage in efforts to achieve Section 3 goals and objectives.

Projects that trigger Section 3 will be required to report on these numbers mid-year and end-year as well as at project close-out.

More information and guidance on Section 3 compliance can be found in NYSHCR’s Section 3 Policy Manual here: <https://hcr.ny.gov/section-3-compliance>.

G. Property Standards and HTFC Housing Rehabilitation Standards

All HOME-assisted properties must meet HTFC housing rehabilitation standards and NYS and/or Local code upon completion. (More info: <https://hcr.ny.gov/nys-home-program>.)

H. Reasonable Accommodations and Modifications

The applicant must work with any household with accessibility needs to address those needs as part of the scope of work and must be in compliance with the Fair Housing Act, Section 504, as applicable. Accommodations and modifications to address accessibility needs can and should be paid with HOME funds. Exceptions to per-unit assistance limits due to such modifications will be considered.

I. Equal Employment and Minority and Women Owned Business Participation

The HOME Program regulation at 24 CFR 92.351 (b) requires all HOME funded programs and projects to adopt affirmative marketing procedures and include, to the maximum extent feasible, minorities and women and entities owned by minorities and women to be provided employment and contracting opportunities funded by the HOME program.

If HOME Program Funds are combined with New York State funds in a program or project, then applicants must adhere to State requirements. Article 15-A of the State Executive Law requires that only State certified (as certified by Empire State Development Corporation) MWBEs shall be given the opportunity for meaningful participation in the performance of State-assisted contracts and to facilitate the award of a fair share of State assisted contracts and subcontracts to such enterprises.

More information can be found in the *Minority and/or Women Business Enterprises (MWBE) Policy* posted here <https://hcr.ny.gov/nys-home-program>. and here <https://esd.ny.gov/doing-business-ny/mwbe>.

For federal HOME Program reporting purposes, applicants must report on all MWBEs (that meet the federal definition of business enterprises that are 51% minority or women owned) that have been hired to provide services for the NYS HOME Program contract.

J. Non-Discrimination

No person in the United States shall, on the grounds of race, color, national origin, religion, or sex be excluded, denied benefits, or subjected to discrimination under any program funded in whole or in part by NYS HOME Program funds. Applicants are subject to all federal and State fair housing and equal opportunity laws and orders, as referenced in 24 CFR Parts 92.350 and 92.351 to include: Title V of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), The Fair Housing Act (42 U.S.C. 3601-3620.), Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12259), Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107). (More information: <https://hcr.ny.gov/fair-and-equitable-housing-office>)

K. Uniform Relocation Assistance

The HOME Program is subject to an overall policy of minimizing displacement and is subject to the Uniform Relocation Act and Section 104(d) of the Housing and Community Development Act of 1974, as amended.

The HTFC HOME & CDBG Residential Anti-displacement & Relocation Assistance Plan, available on the HCR website, establishes the policy to minimize displacement as a result of an investment by the federal HOME and CDBG programs. Applicants awarded NYS HOME program funds must provide reasonable benefits and relocation assistance to any person involuntarily and permanently displaced as a result of the use of NYS HOME Program funds. Applicants must further document that any purchase of property meets the requirements of the URA, including provision of notices to the seller identifying the transaction as a voluntary sale not under the threat of eminent domain. (More information: <https://hcr.ny.gov/system/files/documents/2019/07/home-cdbg-antidisplacement-relocation-plan.pdf> for additional guidance on Relocation requirements as referred to in the Administrative Plans.)

L. Weatherization Assistance

The NYS HOME program partners with the NYS HCR Weatherization Assistance Program (WAP) to provide weatherization assistance for housing rehabilitated with HOME funds.

To the extent resources are available, WAP funds and construction services to perform weatherization activities will be made available to rehabilitated units through the HCR WAP provider located in the service area.

Applicants should partner with the WAP provider to ensure weatherization measures are incorporated into the scope of work. The WAP will provide the required Energy Audit for all units assisted with WAP funds.

Priority should be given to senior citizens, families with children, and persons with disabilities. If a household contains a member who receives Supplemental Security Income (SSI), Public Assistance, Food Stamps, or Home Energy Assistance Program (HEAP) benefits, the household is automatically eligible for WAP.

M. Affirmatively Furthering Fair Housing

Awardees of NYS HOME Program funds must comply with all federal, New York State, and local laws, executive orders and regulations pertaining to Fair Housing and Equal Opportunity. These include, but are not limited to:

- *Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.)*
- *The Fair Housing Act (42 U.S.C. 3601-3620)*
- *Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12259)*
- *Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107)*
- *New York State Human Rights Law (N.Y. Exec. Law 290 et seq.)*
- *New York State Criminal Conviction & Credit Individualized Assessment Policy*

Awardees are required to develop an Affirmative Marketing Plan that relies on local knowledge and decision making in order to determine the best strategies for compliance. This Plan will be reviewed for compliance during contract monitoring. (More information: <https://hcr.ny.gov/nys-home-program>.)

9. APPLICATION REFERENCE MATERIALS

This RFA provides only a portion of the information and materials needed by applicants. Other materials are available from the HCR HOME Program website, <https://hcr.ny.gov/nys-home-program>, including but not limited to the following:

- 2021 HOME Program CDOL Application Instructions
- NYS HOME Program Budget Policy and Worksheets
- HTFC Housing Rehabilitation Standards (rev. June 2006)
- Administrative Plans & application questions

The HTFC reserves the right to award all, a portion of, or none of an applicant's requested funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, an applicant's ability to meet HTFC criteria for funding, and an applicant's ability to advance the State's housing goals. The HTFC also reserves the right to change or disallow aspects of the applications received and may make such modifications an expressed condition of its commitment to provide funding to a program.

10. ADMINISTRATIVE PLANS

NYS HOME Program Administrative Plans for each activity describe the policies and procedures that applicants must follow in the administration of a NYS HOME funded program or project and are located at <https://hcr.ny.gov/nys-home-program>. **These plans should be reviewed prior to application to ensure the applicant can comply with all state and federal regulations, deliver HOME eligible units upon completion and expend funds within the 30 month contract.**

Applicants must respond to questions (as an attachment in the application) regarding the Plans. Answers to the questions will be a rating factor in this application. If awarded funds, the Plan and the responses to the questions will become the administrative plan for the awarded program and part of the grant agreement.

Policies and procedures contained in the Plan and Exhibits must be followed and will be enforceable along with all aspects of the contract and Federal HOME Investment Partnership Program regulations at 24 CFR Part 92.

11. APPLICATION SUBMISSION DEADLINES

Application Open Date: Wednesday September 1, 2021

Application Due Date: Friday October 15, 2021

Applications must be submitted using the Community Development Online Application System (CDOL) at: <https://hcr.ny.gov/community-development-online>. Applications must be submitted and certified by the applicant in the CDOL system **no later than 4:00 PM, EST, on October 15, 2021**

The above-stated application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, applications received after the specified date and time will be deemed ineligible and will not be considered for funding. Applicants should make early submission to avoid risks of ineligibility resulting from unanticipated delays or other delivery-related problems.

Once the application is submitted **and certified** through CDOL, an identification number (SHARS ID) is assigned, and the application is made available for review by OCR program staff.

12. TECHNICAL ASSISTANCE

Applicants may request technical assistance from the OCR during the application process. Applicants must review the RFA and CDOL Application Instructions prior to beginning the application process. The instructions provide detailed guidance for completing the application as well as troubleshooting issues with the CDOL system. Questions regarding this RFA may be directed via email to Homeprogram@nyshcr.org.

At the completion of this funding round, applicants not selected for award may participate in an exit conference to review general reasons as to why applications were not funded.

13. THRESHOLD ELIGIBILITY REVIEW

Applications passing an initial threshold eligibility review based on the criteria summarized below will move forward for a full application scoring. Applications that fail to meet all of the criteria will not be reviewed further and will be deemed ineligible:

- Applicants must have been in existence and providing recent and relevant residential housing services to the community for at least one year prior to application.
- Program must assist only residential properties that will be owner-occupied at project completion.
- Application must demonstrate a local market need for the residential housing activity being proposed.
- Applicant must not have outstanding past performance, compliance, monitoring and/or audit issues with the OCR.

14. APPLICATION REVIEW CRITERIA

Scoring criteria is derived from the statutory, regulatory and policy considerations of the HOME Program and based on a 100-point scale summarized below.

Application ratings are based only on the application materials received by the submission deadlines.

A. Housing Rehabilitation & Manufactured Housing Replacement Review Criteria

- **Average income level served (10 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by regulation. *Applications that target income levels that are not feasible for the proposed activity will not receive points.*
- **Persons with special needs targeted (5 points)** – Applications are rated on the extent to which the proposed program will assist special needs populations listed in the application. The applicant must have and submit an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served or will not receive points.
- **Percent below federal poverty level in program service area (10 points) -** Programs serving areas with the highest percentage of persons below the poverty level compared to service areas of other applications will receive the most points.
- **Age of Housing (5 Points)** – Housing rehabilitation programs in areas with the highest percentage of housing units built before 1960, compared to other applications received, will receive the most points. Applications that do not include the source of data will not receive points.
- **Leveraging (10 points)** – Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- **Administrative Plan Questions: Program Design and Capacity (40 points)** Answers to the questions will be reviewed to assess the applicant’s in-house processes for compliance, readiness, and capacity to execute and complete the proposed program in compliance with HOME regulations and within the 30-month term. Unanswered questions or deficiencies in the responses will result in lower points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Answers should be clear and concise.
- **Experience and prior performance (20 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

Applicants that have received and administered a NYS HOME Program award within the past 3 years will be evaluated based on performance to include progress of open contracts, deobligations, and compliance documented by monitoring reviews.

Applicants that have not administered a NYS HOME Program award during the past 3 years will be evaluated on past experience administering other contracts similar in size and scope. Detailed examples must be provided in CDOL to obtain points.

B. Homebuyer Down Payment Assistance Review Criteria

- **Average income level served (10 Points)** - Applications are rated on the extent to

which they propose deeper income targeting than required by regulation. *Applications that target income levels that are not feasible for the proposed activity will not receive points.*

- **Persons with special needs targeted (5 points)** – Applications are rated on the extent to which the proposed program will assist special needs populations listed in the application. The applicant must have and submit an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served or will not receive points.
- **Percent below federal poverty level in program service area (10 points)** - Programs serving areas with the highest percentage of persons below the poverty level compared to service areas of other applications will receive the most points.
- **Homeownership Rate in the Program Service Area (5 points)** – Need for homebuyer programs is evaluated in part based on the rate of home ownership in the service area and the relative affordability of for-sale housing in the service area. Programs in areas with the lowest percentage of owner-occupied units, compared with other applications received, will receive the most points. The relationship between the costs of home ownership relative to income as compared to other applications will also be considered. Applications that do not include the source of data will not receive points.
- **Homeownership Affordability Index (5 points)** – The home buyer affordability index is based on median incomes and median sales prices across the state. Programs in areas where homeownership is more expensive relative to incomes will receive the most points.
- **Leveraging (5 points)** – Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- **Administrative Plan Questions: Program Design and Capacity (40 points)**
Answers to the questions will be reviewed to assess the applicant's in-house processes for compliance, readiness, and capacity to execute and complete the proposed program in compliance with HOME regulations and within the 30-month contract term. Unanswered questions or deficiencies in the responses will result in lower points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Answers should be clear and concise.
- **Experience and prior performance (20 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

Applicants that have received and administered a NYS HOME Program award within the past 3 years will be evaluated based on performance to include progress of open contracts, deobligations, and compliance documented by monitoring reviews.

Applicants that have not administered a NYS HOME Program award during the past 3 years will be evaluated on past experience administering other contracts similar in size and scope. Detailed examples must be provided in CDOL to obtain points.

C. Tenant Based Rental Assistance (TBRA) Review Criteria

- **Average income level served (15 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by regulation. Maximum income level for this activity is 60% AMI.
- **Persons with special needs targeted (15 Points)** – Applications are rated on the extent to which the proposed program will assist special needs populations listed in the application. The applicant must have and submit an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served or will not receive points.
- **Percent below federal poverty level in program service area (10 points)** - Programs serving areas with the highest percentage of persons below the poverty level compared to service areas of other applications will receive the most points.
- **Tenant Rent Burden (5 Points)** – Programs in areas with the highest number of households paying more than 30% income for rent will receive the most points.
- **Affordability Index (5 points)** – Programs in areas requiring the highest percentage of household income to afford a two-bedroom apartment will receive the highest scores.
- **Administrative Plan Questions: Program Design and Capacity (35 points)** Answers to the questions will be reviewed to assess the applicant’s in-house processes for compliance, readiness, and capacity to execute and complete the proposed program in compliance with HOME regulations and within the 30-month contract term. Unanswered questions or deficiencies in the responses will result in lower points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Answers should be clear and concise.
- **Experience and prior performance (15 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

Applicants that have received and administered a NYS HOME Program award within the past 3 years will be evaluated based on performance to include progress of open contracts, deobligations, and compliance documented by monitoring reviews.

Applicants that have not administered a NYS HOME Program award during the past 3 years will be evaluated on past experience administering other contracts similar in size and scope. Detailed examples must be provided in CDOL to obtain points.

15. FUNDING ALLOCATION PRIORITIES

New York State distributes HOME Program funds throughout the state with the majority of funds being awarded in non-HOME Participating Jurisdictions. HOME regulations require that fifteen percent (15%) of each annual allocation is reserved for Community Housing Development Organizations (CHDOs).

16. HTFC BOARD APPROVAL

Awards must be approved by the HTFC Board of Directors.

17. APPLICATION OUTCOME

An e-mail or letter may be sent to *the contact as listed in the CDOL application* to inform the applicant of the status of its application:

- Selected for Funding
- Not Selected for Funding
- Ineligible for Funding

18. CONTRACT REQUIREMENTS AND EXECUTION

HOME applicants selected for funding may be asked to revise parts of the original application or administrative plan prior to or in conjunction with the issuance of a contract. Contract expenditures for construction cannot be made until all required environmental reviews are completed.

Applicants are expected to be ready to fully execute contracts upon award and undertake activities once environmental reviews are completed. Failure to do so may result in the rescission or termination of an award.

As a condition of the award of NYS HOME program funds, applicants are required to obtain and maintain proper insurance and fidelity bonds. During the term of the contract, the applicant shall take all adequate measures to safeguard against the risk of liability for injuries or death of employees of the applicant, contractors and subcontractors, and any other persons.

The applicant shall provide HTFC with certificates for:

- Comprehensive general liability coverage in a minimum amount of one million dollars (\$1,000,000) naming the HTFC and the State of New York as additional insured
- Fidelity/crime coverage in an amount not less than the largest anticipated disbursement request for program funds naming the HTFC as loss payee
- Automobile insurance
- Workers' compensation and disability benefits

All insurance certificates shall be with a New York State licensed carrier.

Applicants should anticipate that certain regulatory requirements and administrative guidance will change or be clarified during the anticipated term of awards under this RFA. For example, HUD has deferred the implementation of new property standard requirements for the HOME Program. These new requirements are applicable to any project with a commitment after the effective date of the new requirements as may be announced by HUD.